

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 11-1141**September Term, 2013****EPA-76FR15554****EPA-78FR7488****Filed On: May 15, 2014**

American Chemistry Council,
Petitioner

v.

Environmental Protection Agency,
Respondent

American Forest & Paper Association, et al.,
Intervenors

Consolidated with 11-1182, 11-1207, 11-1208,
13-1105, 13-1107

BEFORE: Griffith, Srinivasan, and Wilkins, Circuit Judges

ORDER

Upon consideration of the motion for partial voluntary remand without vacatur, the responses thereto, and the reply; the motion for affirmative relief, the responses, the replies and the errata thereto, it is

ORDERED that the motion for partial voluntary remand without vacatur be granted, and the motion for affirmative relief be denied. The numeric standards identified by EPA on pages 5-6 of its remand motion, set forth in “National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers,” 78 Fed. Reg. 7488 (Feb. 1, 2013), are hereby remanded to EPA for further proceedings. The Clerk is directed to issue forthwith a certified copy of this order to the agency in lieu of partial formal mandate. It is

FURTHER ORDERED that the following briefing format and schedule apply to the remainder of the consolidated cases:

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Industry Petitioners' Brief (not to exceed 11,200 words)	August 26, 2014
Environmental Petitioners' Brief (not to exceed 11,200 words)	August 26, 2014
Respondent's Brief (not to exceed 22,400 words)	November 24, 2014
Industry Intervenor-Respondents' Brief (not to exceed 7,000 words)	December 24, 2014
Environmental Intervenor-Respondents' Brief (not to exceed 7,000 words)	December 24, 2014
Industry Petitioners' Reply Brief (not to exceed 5,600 words)	January 7, 2015
Environmental Petitioners' Reply Brief (not to exceed 5,600 words)	January 7, 2015
Deferred Appendix	January 21, 2015
Final Briefs	February 4, 2015

The parties will be notified by separate order of the oral argument date and composition of the merits panel. The court reminds the parties that

In cases involving direct review in this court of administrative actions, the brief of the appellant or petitioner must set forth the basis for the claim of standing. . . . When the appellant's or petitioner's standing is not apparent from the administrative record, the brief must include arguments and evidence establishing the claim of standing.

See D.C. Cir. Rule 28(a)(7).

To enhance the clarity of their briefs, the parties are urged to limit the use of abbreviations, including acronyms. While acronyms may be used for entities and

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statutes with widely recognized initials, briefs should not contain acronyms that are not widely known. See D.C. Circuit Handbook of Practice and Procedures 41 (2013); Notice Regarding Use of Acronyms (D.C. Cir. Jan. 26, 2010).

Parties are strongly encouraged to hand deliver the paper copies of their briefs to the Clerk's office on the date due. Filing by mail may delay the processing of the brief. Additionally, counsel are reminded that if filing by mail, they must use a class of mail that is at least as expeditious as first-class mail. See Fed. R. App. P. 25(a). All briefs and appendices must contain the date that the case is scheduled for oral argument at the top of the cover. See D.C. Cir. Rule 28(a)(8).

Per Curiam

FOR THE COURT:

Mark J. Langer, Clerk

BY: /s/

Timothy A. Ralls

Deputy Clerk